



**U.S. Immigration
and Customs
Enforcement**

August 31, 2015

Ghita Schwarz, Esq.
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

RE: *Immigrant Defense Project, et al. v. ICE and DHS*, No. 14-cv-6117 (JPO)

FOIA Case Number: ICE 2014-FOIA-01578

Dear Ms. Schwarz,

This letter is a supplemental re-release in response to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated October 17, 2013, for records relating to Department of Homeland Security (DHS) and ICE home-based enforcement operations, the subject of the above-referenced litigation in the U.S. District Court for the Southern District of New York. This re-release is being made pursuant to Judge Oetken's Order on August 4, 2015, and pursuant to discussions between party counsel.

This request is being processed under the FOIA, 5 U.S.C. § 552.

ICE has conducted a re-review of 6,069 pages originally released on a rolling basis between the months of December 2014 and May 2015. After the re-review, ICE has reprocessed 254 pages of records and is now releasing portions of the previously withheld information. Additionally, 1 page identified as missing from the February 19, 2015 release, and is being released in full, and 6 additional pages were located pursuant to a search of the ICE Office of Enforcement and Removal Operations (ERO) are located at the end of this production. As the May 22, 2015 re-release with new bates stamping, replaced the original March 19, 2015 production, these additional 7 pages will be bates stamped ICE 2014FOIA01578 005625 through 2014FOIA01578 005631, in continuance with the last bates number used in the February 19, 2015 release.

Of the 254 reprocessed pages, 138 pages are now being released in full, and portions of the remaining 116 pages will be withheld pursuant to FOIA Exemptions (b)(6), (b)(7)(C) and (b)(7)(E) as described below. Of the 6 additional pages located by ERO, 3 pages are being released in full, and portions of the remaining 3 pages will be withheld pursuant to FOIA Exemptions (b)(6), (b)(7)(C) and (b)(7)(E) as described below.

ICE applied Exemptions 6 and 7(C) to protect from disclosure the names, e-mail addresses, and phone numbers of ICE and local law enforcement officers, ICE employees, and third parties contained within the responsive documentation.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. The privacy interests of the individuals in the records requested outweigh any minimal public interest in

disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

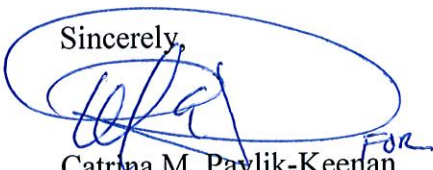
FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. The privacy interest in the identities of individuals in the records requested outweighs any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

ICE applied FOIA Exemption 7(E) to protect from disclosure non-public law enforcement techniques and processes, law enforcement sensitive database codes, internal identification numbers, navigation instructions, and information regarding internal queries of law enforcement databases. The release of technical information such as codes, numbers, instructions, and queries, would allow a person with unauthorized access to ICE's network or databases to potentially circumvent the law by avoiding detection and/or manipulating law enforcement sensitive information.

FOIA Exemption 7(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The disclosure of certain law enforcement sensitive information contained within the responsive records could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

If you have any questions about this response, please contact John D. Clopper with the United States Attorney's Office at (212) 637-2716.

Sincerely,



For
Catrina M. Pavlik-Keenan
FOIA Officer

Enclosure(s): 1 CD containing 261 pages

cc:

John D. Clopper
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U.S. Attorney's Office for the Southern District of New York
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